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09/965,984	09/28/2001	E-Lee Chang	BELL-0128/01181	5167

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EXAMINER

WOO, STELLA L

ART UNIT PAPER NUMBER

2643

DATE MAILED: 08/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/965,984

Applicant(s)

CHANG ET AL.

Examiner

Stella L. Woo

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 22-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18, 22-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 13-16, 22-23, 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Boling et al. (US 6,226,510 B1, hereinafter "Boling").

Regarding claims 1, 13-14, 22-23, 27, Boling discloses a method for distributed notification, the method comprising:

receiving a location signal from a remote device associated with a subscriber (private emergency response service receives location and identify information from phone/pager 10; col. 4, lines 4-28; col. 5, lines 1-4; col. 6, lines 19-39);

storing a contact profile (response service maintains a list of persons to contact; col. 4, lines 1-4);

providing to each of the plurality of contacts a respective notification message (the private service forwards the emergency caller's location and identify information to each person on the list; col. 4, lines 4-11).

Regarding claim 2, a notification message is transmitted to the public emergency response service (col. 4, lines 26-30; col. 10, lines 16-30).

Regarding claim 3, location data is received from GPS receiver 64 (col. 6, lines 22-30; col. 10, lines 16-25).

Regarding claim 5, location information includes longitude/latitude coordinates (col. 4, lines 20-21; col. 10, lines 19-24).

Regarding claims 15-16, the triggering event is the activation of the emergency button 20 (col. 3, lines 55-64; col. 6, lines 52-56).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boling in view of Markowitz et al. (US 6,295,346 B1, hereinafter "Markowitz").

Boling differs from claims 7-9 in that it does not specify providing a text notification message. However, Markowitz teaches the desirability of communicating an emergency notification message to a predefined set of parties in the form of an e-mail message in lieu of a voice message (col. 7, lines 34-45, 51-53) such that it would have been obvious to an artisan of ordinary skill to incorporate such use of e-mail, as taught

by Markowitz, within the method of Boling in order to allow for the option of e-mail notification.

Regarding claims 8-9, Markowitz provides for using a template (col. 7, lines 45-50).

Boling differs from claims 10-12, 25, in that it does not explicitly provide for voice notification or telephone connection. However, Markowitz teaches the desirability of communicating an emergency notification message by synthesized voice (col. 4, lines 6-45) such that it would have been obvious to an artisan of ordinary skill to incorporate such use of a synthesized voice message, as taught by Markowitz, within the method of Boling when notifying each contact over the telephone system.

Regarding claims 11-12, Markowitz uses a voice template to form a notification message (col. 4, lines 10-45).

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boling in view of McCurdy (US 6,340,928 B1).

Boling differs from claim 17 in that it does not provide for the detection of an automobile collision. However, McCurdy teaches the well known use of collision detection (vehicle crash sensing system 40) as a triggering event to automatically placing an emergency call (Abstract) such that it would have been obvious to an artisan of ordinary skill to incorporate such collision detection, as taught by McCurdy, within the method of Boling in order to automatically report an emergency from a vehicle in response to a collision in case the user is not physically able to activate the emergency button.

6. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boling in view of Pons et al. (US 5,805,670, hereinafter "Pons").

Boling differs from claim 18 in that it does not specify the notification message containing the status of the event. However, Pons teaches the desirability of including ongoing incident details within the notification message (col. 1, lines 45-48, 58-62; col. 11, lines 14-16) such that it would have been obvious to an artisan of ordinary skill to incorporate such reporting of event status, as taught by Pons, within the method of Boling so that other can be apprised of the latest state of events, such as the destination medical treatment facility to which the 911 caller is being transported.

7. Claims 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boling in view of Tsumpes (US 6,442,241 B1).

Boling differs from claims 24 and 26 in that it does not specify the contact profile as including a contact type associated with each contact or contact via Internet connection. However, Tsumpes teaches the desirability of communicating an emergency notification message to a list of contacts in a variety of ways, such as voice, pager, voice mail, fax and e-mail (which takes place over the Internet), with the subscriber account record indicating the formats in which a message is to be communicated for each contact (Abstract; Figure 4; col. 6, lines 10-23) such that it would have been obvious to an artisan of ordinary skill to incorporate such use of a variety formats, as taught by Tsumpes, within the method of Boling in order to provide options as to how each contact is to be notified.

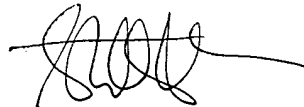
***Response to Arguments***

8. Applicant's arguments with respect to claims 1-18, 22-27 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella L. Woo whose telephone number is (703) 305-4395.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Stella L. Woo  
Primary Examiner  
Art Unit 2643

SW